

GOVERNMENT OF ANDHRA PRADESH

**ABSTRACT**

SOCIAL WELFARE DEPARTMENT – Establishment - Gazetted – Making compassionate appointment in violation Government orders by Sri.Y.Viswa Mohan Reddy, the then Deputy Director(SW), Adilabad and presently working as Deputy Director(SW), Karimnagar – Departmental Proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal ) Rules, 1991 – Articles of charges – Issued

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**SOCIAL WELFARE (SER.I) DEPARTMENT**

**G.O.Rt No. 292**

**DATED: 25.03.2010**

**ORDER:**

It is proposed to hold an enquiry against Sri.Y.Viswa Mohan Reddy, the then Deputy Director(SW), Adilabad and presently working as Deputy Director(SW), Karimnagar in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal ) Rules, 1991.

2. Substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held are set out in the enclosed Statement of Articles of Charges (Annexure-I). A statement of imputations of misconduct or misbehavior in support of each Article of Charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure - III and IV).

3 Sri.Y.Viswa Mohan Reddy, the then Deputy Director(SW), Adilabad and presently working as Deputy Director(SW), Karimnagar , is directed to submit his written statement of defence, within 10 days from the date of receipt of this order.

4. Sri.Y.Viswa Mohan Reddy, the then Deputy Director(SW), Adilabad and presently working as Deputy Director(SW), Karimnagar , is informed that an inquiry will be held only in respect of those Articles of Charges as are not admitted. He should, therefore, specifically admit or deny each Article of Charge.

5. Sri.Y.Viswa Mohan Reddy, the then Deputy Director(SW), Adilabad and presently working as Deputy Director(SW), Karimnagar , is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the order/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him exparte.

6. Attention of Sri.Y.Viswa Mohan Reddy, the then Deputy Director(SW), Adilabad and presently working as Deputy Director(SW), Karimnagar is invited to Rule 24 of the A.P.Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt in these proceedings it will be presumed that Sri Y.Viswa Mohan Reddy is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A.P. Civil Services (Conduct) Rules, 1964.

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7. The receipt of the order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.NAGI REDDY  
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri.Y.Viswa Mohan Reddy, the then Deputy Director(SW), Adilabad and presently working as Deputy Director(SW), Karimnagar (Through the Commissioner of Social Welfare, AP, Hyderabad)

Copy to:

The Commissioner of Social Welfare, AP, Hyderabad.

(with a request to serve the articles of charges on the Charged Officer and return the served copy to Government for record).

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER

**(ANNEXURE – I)**

**STATEMENT OF ARTICLES OF CHARGES AGAINST SRI Y.VISWA MOHAN REDDY THE THEN DEPUTY DIRECTOR(SW), ADILBAD PRESENTLY WORKING AS DEPUTY DIRECTOR(SW), KARIMNAGAR.**

**ARTICLES OF CHARGE – 1**

That Sri.Y.Viswa Mohan Reddy the then Deputy Director(SW), Adilabad, presently working as DD(SW), Karimnagar while working as Deputy Director(SW) Adilabad has made compassionate appointment to M.Santosh, So/o Late Ojanna as Watchman and posted at SWBH, Limba(K), Adilabad District , in violation of Government instructions/orders with a malafide intention.

2. Thus, he by his above mentioned act, has established lack of integrity, dereliction to duty and conduct unbecoming of a member of service and thereby contravened Rule 3(1) and (2) of APCS (Conduct)Rules, 1964.

V.NAGI REDDY  
PRINCIPAL SECRETARY TO GOVERNMENT

**(ANNEXURE – II)**

**STATEMENT IMPUTATION OF MISCONDUCT OR MISBEHAVIOUR IN  
SUPPORT OF ARTICLES OF CHARGES AGAINST SRI Y.VISWA MOHAN  
REDDY THE THEN DEPUTY DIRECTOR(SW), ADILBAD PRESENTLY  
WORKING AS DEPUTY DIRECTOR(SW), KARIMNAGAR.**

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Orders were issued in Circular Memo.NO.41758/Ser/G/2006-2,, GA(Sr.G)Department, Dated:19.07.2007 that all the existing instructions and provision of the compassionate appointment shall be applicable to the cases of compassionate appointment of the dependent of Government employee who commit suicide while in service and these orders shall come into force with immediate effect prospectively and the old cases shall not be re-opened.

2. In the instant case, Sri.Ojanna, watchman, SWBH, Adilabad committed suicide on 06.07.2006. Since, orders issued in Circular Memo, dated:19.07.2007 shall come into force with immediate effect prospectively, Sri.N.Santhosh, dependent of the deceased Government employee was rejected by the Social Welfare Department via Memo dated:14.08.2007.

3. Aggrieved with the above, the individual filed OA No.5125/2008 before the APAT, Hyderabad. The APAT, Hyderabad in its orders dated:03.03.2009 in OA.No.5125/2008 directed the respondents to consider the case of the applicant for appointment on compassionate grounds. Aggrieved by the orders of the APAT, The Government has requested the District Collector, Adilabad to file Writ Petition before the the Hon'ble High Court against the orders of the APAT, vide Mem.dated:10.07.2009.

4. Sri.Y.Viswa Mohan Reddy the then Deputy Director(SW), Adilabad, presently working as DD(SW), Karimnagar in his proceedings dated:04.07.2009, has appointed the individual as Watchman and posted at SWBH, Limba(K) irregularly without following the instruction/orders issued on compassionate appointment to the dependent of Government servants who died in service.

5. As per the Circular Memo.NO.46742/Ser.A/98-1, GA(Ser.G)Department, Dated:11.08.1998, an appointment on compassionate grounds has to be given in accordance with the relevant rules and guidelines that have been framed by the concerned authority and not person can claim appointment on compassionate grounds in disregard of such rules or such guidelines.

6. Sri.Y.Viswa Mohan Reddy the then Deputy Director(SW), Adilabad, presently working as DD(SW), Karimnagar has issued proceedings dated:04.07.2009 in his name in place of District Collector concerned, moreover, when subject matter under examination by the Government.

V.NAGI REDDY  
PRINCIPAL SECRETARY TO GOVERNMENT

**(ANNEXURE – III)**

**LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES AGAINST SRI Y.VISWA MOHAN REDDY THE THEN DEPUTY DIRECTOR(SW), ADILBAD PRESENTLY WORKING AS DEPUTY DIRECTOR(SW), KARIMNAGAR ARE PROPOSED TO BE SUSTAINED.**

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Circular Memo.NO.46742/Ser.A/98-1, GA(Ser.G)Department, Dated:11.08.1998

Circular Memo.NO.41758/Ser/G/2006-2,, GA(Sr.G)Department,  
Dated:19.07.2007

V.NAGI REDDY  
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**(ANNEXURE –IV)**

**LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES AGAINST SRI Y.VISWA MOHAN REDDY THE THEN DEPUTY DIRECTOR(SW), ADILBAD PRESENTLY WORKING AS DEPUTY DIRECTOR(SW), KARIMNAGAR ARE PROPOSED TO SUSTAINED.**

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**-NIL-**

V.NAGI REDDY  
PRINCIPAL SECRETARY TO GOVERNMENT